

## CONTINUATION IN PART APPLICATION

PARENT APPLICATION NUMBER 09/776,498

## TITLE OF INVENTION

A method and system to enable, to organize, to facilitate, and to transact communications for a fee or cost born by a Sender Party ( also known as a Caller Party) utilizing a network such as the Internet.

NAME:: John Jensen  
MAILING ADDRESS:: P.O. Box 165  
CITY, STATE, ZIP:: Santa Monica, CA 90406-0165  
Phone:: 310-567-0022  
FAX:: 213-383-4150 (fax)  
Email:: johnmjensen@earthlink.net

## Description

[0001] A method to enable, to organize, to facilitate, and to transact communications for a fee or cost born by a Sender Party (also known as a Caller Party) utilizing a network such as the Internet.

## CROSS-REFERENCE TO RELATED APPLICATIONS

[0002] Parent Application No 09/776,498

## STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT

[0003] None

## REFERENCE TO A MICROFICHE APPENDIX

[0004] None

## EARLIER FILING DATE

This Continuation Application claims the benefit of the Earlier Filing Date of Feb 2001 from the prior non-provisional application Pat App. No 09/776,498 under 35 U.S.C. 120 and/or 35 U.S.C. 365.

## BACKGROUND OF THE INVENTION

[0005] This invention pertains to the fields of endeavor of data processing operations, communications, electronic commerce, electronic funds transfer, automated business practices, and communications or transmissions utilizing a network.

[0006] Specifically, this invention relates to methods and systems for enabling, organizing, marketing, and selling communication or information transmission or direction services for a fee or cost born by a Sender Party (Also known as a Caller Party) utilizing the Internet or other interactive network. For purposes of this application Sender Parties and Caller Parties are intended to be broadly construed and identical.

[0007] Currently many communications and transactions utilizing a network fail to be attempted, transmitted, or completed because there is no system or method for facilitating and enabling communication for a fee or cost charged to or born by a Sender or "Caller" party where the fee or cost benefits in part a Receiver party.

[0008] One problem is that there is no organized method or system to enable a member of the general public ("Caller party", Sender Party, or "fan") with network access to transmit or to direct communication using a network to an account or address associated with a party to receive communication ("Receiver party") where the Receiver party (or another party) charges the Caller party (or another party) a fee or cost in exchange for the

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right to access a Receiver party, for the Receiver party's time, advice, answer, right of address, retention, acceptance, grant of rights to the Caller party to allow Caller party to transmit or to direct communication to the Receiver party, or other rights, opportunities, material, or advantage granted by Receiver party to Caller party.

[0009] For example, no system or method currently enables a Caller party with network access to pay a fee to transmit or to direct a communication utilizing a network to a Receiver party where a part of the Caller party's fee or cost benefits the Receiver party. As a corollary, no system or method currently enables a Receiver party utilizing a network to charge a fee or cost to a Caller party or to a third party for the right to transmit or to direct communication or information to the account or address of a Receiver party such that the Receiver party benefits financially or receives consideration or benefit.

[0010] No system or method, including telephonic "900" numbers, address the need and demand for a threshold-based gate-keeper that charges a fee or requires a Caller Party bear a cost in order to have the Caller Parties' communication received by the Receiver Party. Nine hundred prefix telephone numbers, or "900" numbers, allow a Receiver Party to charge a Caller Party a fee, usually per minute, for the Caller Party to receive (not transmit) information. "900" numbers are called "pay-per-call" services because the Caller Party pays for the call as well as the cost of the information or service provided during the call.

Charges for the 900 number calls are set by the 900 number companies, not by the government or by the telephone companies and often are much higher than regular long-distance rates. "900" numbers are often government regulated and require a notice that the Caller Party can hang up and not be charged for the call within 3 seconds of hearing a certain tone or signal.

[0011] Most people think "900" numbers have and deserve a bad reputation. In the popular mind, they are associated with deceptive get-rich-quick schemes, phone-sex pornography, and frauds. They became known as vehicles for professional scam artists to charge Caller Parties exorbitant telephone Charges for bogus programs or faulty information.

[0012] As a system or method, "900" Numbers are largely synchronous, time-based, audio-based, and do not in general allow the Caller Party to send or transmit information and they do not store or direct the Caller Parties' information.

[0013] With regard to fee-based communications, many potential transactions and communications fail to be consummated or transmitted. Examples include current situations where a lawyer or accountant would only answer a question or read a communication if he is paid to do so. Another example is a situation where a Caller party would pay to transmit or to direct a request for a recommendation for a financial portfolio or stock but where the financial planner or broker would receive the communication or provide his service or answer only if he is compensated for his time, access, or recommendation. Another

example is a situation where a Caller party would pay to transmit or to direct a request for technical assistance or support but where the technical support system or personnel would read the communication or supply an answer only if it or they are compensated. Another situation is where a Caller party would pay to transmit a request for a psychic reading or horoscope forecast that would likely only be performed if the psychic or astrologer is compensated. Another example would be a situation where a Caller party would pay to transmit communication to a famous athlete, rock musician, or fashion model but where the athlete, musician, or model is likely to read or respond to a communication only if compensated.

[0014] Another slightly different set of examples involves situations where a Caller party would pay for a response to a question, request, or query. An example is a situation where a Caller party would pay to receive a response to a certain question, a request for a personalized horoscope, or other similar personalized or individual request. These examples involve a secondary benefit or obligation in the form of a response that is in addition to the rights or benefits involving in granting access to receive or to transmit communication.

[0015] Secondly, there is no method or system existing to adequately price the right to transmit or to direct communication over or utilizing a network to the account, electronic "mailbox", or address of a Receiver party, such as for example a publicly known or famous party such as a celebrity or famous athlete.

[0016] Problems can occur in situations where without a threshold cost to a Caller party, too many Caller parties would transmit or direct too much communication such that the Receiver party is overwhelmed or burdened. Particularly, a Receiver party would be overwhelmed if he is not financially supported or compensated for his efforts. In many cases to prevent feeling overwhelmed or burdened, a Receiver party would not provide an address, a location of an electronic "mailbox", e-mail address, or other account or information for the public to use or to access. A Receiver party currently has no direct financial incentive to receive these communications.

[0017] Bulk email, "spam", junk email, or otherwise unsolicited or undesired emails (aka "Junk Email") have become an increasing annoyance and burden to Receiver parties, system administrators, and internet access providers. Often junk emails solicit bogus investment schemes, pornography, and other unwanted materials. These junk emails abound because it does not cost the Caller party a great amount of money to send their communication to many Receiver parties. The junk emails can arrive at or in a Receiver party's mail server, in-box, or email account in such variety and amount that the mere act of the Receiver party sorting through and deleting the junk emails wastes significant time, resources, and effort. The present method and system can reduce the number of unwanted or unsolicited emails that arrive at or in an existing mail server, email account or in-box, by introducing a threshold payment requirement prior to the

communication or email reaching the mail server or alternatively before the email reaches the user's email inbox, by for example returning a communication to the Caller party requesting a fee be paid prior to granting the communication access or by not allowing the email to enter the email account or in-box until the access fee has been paid. Limiting a communication's access to the existing email server, account, or in-box would likely significantly reduce the amount of junk emails, bulk emails, and other unsolicited emails that arrive in or at the mail server, email account or in-box. A significant additional benefit to the Receiver Party of using the method and system is that Caller parties who send junk email often use falsified return addresses so that an automated reply by the present system or method to a junk email would not be responded to by the Caller Party. Since the Caller Party likely will not respond to the automated request to the supplied unauthentic reply address, sender address, or initiating party address, and very likely the Caller Party will not pay a fee for access, much of the spam or junk email would not enter into the Receiver party's mail server, "in-box", email account, or similar account. Of course, if the Caller Party pays the access fee or cost as required by the Receiver Party then the Caller Party may transmit "junk mail" that would enter the Receiver Party's mail server, email account, in-box, or similar account. As a precaution, the Receiver Party could alternatively or also direct the present system or method to preserve emails



that were not responded to or funded by the Caller party, so that potentially worthwhile communication is not lost.

[0018] Currently a party in the general public ("Sender Party", "Fan" or Caller party) who already has network access in general may transmit or direct as many emails as he wishes of whatever length that he wishes without additional cost. While increasing the amount of communication and reducing costs is beneficial in most cases, in some cases a basically unlimited transmission or use right can negatively effect a Receiver party or create market failure because the Receiver party can be overwhelmed by the amount and length of the communication received. In some cases, there is a market failure where a Caller party does not have to pay to transmit a communication and where a Receiver party is not compensated to cover the Receiver party's costs or time associated with receiving or processing the communication. In that case, a Receiver party may choose to not provide a publicly accessible network account, electronic "mail-box" or address. In that situation, some valuable communication is doubtlessly lost, not attempted, or not completed. Because there is simply an excess demand by Caller parties for transmission or access at no cost and an inadequate or limited supply of Receiver party's time, attention, or other resources to devote to the task when not compensated so that many of these transactions, communications, requests, or transmissions will likely not occur.

[0019] A system or method that would price the right of transmission, direction, or access would improve these supply-demand and misallocation issues and provide incentive or benefits to the Receiver party to increase the supply or resources devoted to processing the transmissions and communications or to instituting a publicly addressable account or address.

[0020] It is possible that establishing a price for a currently free commodity may reduce the Caller party's demand for that commodity. In this case, pricing the right to transmit or direct communication may thereby theoretically reduce the amount of communication that would have occurred if the commodity, in this case the right to transmit or to direct communication to certain persons' accounts over or utilizing a network, remained free. But this objection is unrealistic because many Receiver parties currently do not participate in receiving transmissions or providing public access because the Receiver Parties are not compensated. Therefore the actual level of communication that currently exists of this type is greatly reduced from what would be an optimal level. The introduction of a pricing system or method and the institution of a revenue stream to the recipient or Receiver party will likely greatly increase the supply of communication because it will likely greatly increase the supply or resources of persons who are the desirable Receivers of this type of communication.

[0021] Additionally, just as the cost of a first class stamp will likely not dissuade a person from mailing a letter if he or

she considers it important enough, a charge for a particular request, transmission, or communication will likely not dissuade those who consider the request, transmission, or communication important enough from transmitting even if there is an associated fee or cost to the Caller or sender party.

[0022] In some cases, such as reducing the number of "junk emails", reducing the amount of communication is desirable and promotes economic efficiency, reduces waste, and provides value.

[0023] In an analogy to telegrams, a cost or fee borne by the Caller party may also serve to focus the Caller party's attention on the content and cause the Caller party to express the content more concisely or more clearly. If so, the more important issues may surface more readily.

[0024] Additionally, the objective of compensating Receiver parties for their efforts will encourage more Receiver parties to participate and to devote more resources to receiving transmissions and thereby increase the amount of communication.

[0025] Currently there is little ability or flexibility for Receiver Parties to differentiate communication services that they may or would like to offer because there has been little ability or flexibility to price, to offer, or to negotiate different prices or different communication or response services. For example, popular movie stars may desire to charge a fee or cost to Caller parties that is significantly greater than the charge or fee for less well-known or popular personalities.

[0026] In other cases, some Receiver Parties may wish to charge a higher price for a different service, such as for example a guaranteed response. For example, some Receiver Parties may charge twice the price for the right to a guaranteed response to a Caller party's transmission. Some Caller Parties may agree to pay more for the guarantee that a communication will be viewed or a personal response will be returned.

[0027] In other cases, some Receiver Parties may wish to charge an even higher price for a guaranteed response within a certain amount of time. Some Caller Parties may agree to pay the higher price for quicker response.

[0028] There is no current system or method that addresses situations where the Receiver party may want to charge the Caller party (or have the cost borne by a third party) for the right for a Caller party to transmit or to direct a communication to the Receiver party's account, for downloading the Caller's communication, for reading or viewing the Caller's communication, for considering the Caller's communication, for responding to the Caller's communication, for providing a content or material response to the Caller's communication, or for consideration, benefits, or rights granted in other situations.

[0029] Thirdly there's a problem where a Receiver party is unable to exploit their fame or renown in an efficient, profitable, or timely manner.

[0030] Realistically, the general public's attention span and interest is fast changing and fickle. Many Receiver Parties' fame

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or renown is fleeting. The window of maximum financial exploitation of their fame or notoriety can be short. Having an additional or efficient mode to exploit fame during the time period of its greatest public exposure will likely optimize the profits that can be derived from a Receiver party's renown, notoriety, or fame.

[0031] Currently, Receiver parties exploit their fame in many ways including endorsing products or services, making personal appearances, appearing in products or media or advertising, appearing in entertainment vehicles, or otherwise exploiting for profit their talents, services, name, likeness, or the public interest in them.

[0032] One problem with celebrities appearing in or endorsing products is that often it takes a significant amount of time to develop, manufacture, advertise, distribute, or make publicly available products or services. This lag time will in many cases reduce the value of the Receiver party's fame or renown as well as reduce the financial benefits the Receiver party may receive from the endorsement or affiliation. Endorsing or affiliating with products may not be the most profitable mechanism to exploit a Receiver party's fame. Additionally, the product or service itself may not be desirable and may in fact damage the Receiver party's reputation or fame.

[0033] In addition, many Receiver Parties are unable to profitably receive communication from parties in the general public ("Callers" or "Fans"). Many Receiver Parties or Receiver

party's representatives have or support fan clubs that provide Caller Parties a selection of information, products, or other items for sale. Receiver Parties have had few or no direct methods to be compensated for receiving transmission of communication.

[0034] Fourthly, there is a problem where members of the general public ("Fans" or Caller parties) cannot locate an electronic or network address, electronic mailbox, or account authentically associated with a Receiver party. In this case, the Caller party has no reliable means to direct transmissions to the Receiver party (or "Star"). Many Receiver Parties are unable to make available to the general public an account, location, or address because the cost of e-mails is basically zero to a fan or Caller who has network access. Where there is no cost to the fan, the fan or Caller party would likely be encouraged to transmit many communications of great length. This leads to an impossible situation for a Receiver party because the Receiver party can not possibly view, hear, or read an unlimited amount of messages. In many cases, a Receiver party will most likely choose not to have a publicly accessible location, address, or account with which to accept communication from the public. This system failure and the Receiver party's reluctance to accept communications from the public is based in part in the market's failure to develop a system or method to appropriately price the right to transmit communication to Receiver Parties.

[0035] For example, some Caller Parties may have wanted to write or transmit an electronic message of encouragement to an Olympic athlete but the Caller party was unable to locate an address or account that was authentically associated with the Olympic athlete. Some Caller Parties may have wanted to send money or provide financial support to the athlete but there was no reliable well-known mechanism, system, or method to satisfy this demand and provide an acceptable degree of authenticity for both parties. On the other hand, the Olympic athlete who desires to receive communication and compensation must also limit the amount of time, effort, and communication involved to an acceptable level. Charging a Caller party a price to transmit or to direct communicate may filter out those Fans or Caller parties who do not sufficiently value the communication at the same time it enables more communication from those parties who value the communication more, are more excited, interested, involved, financially able, or have other desirable characteristics.

[0036] Fifthly, there is a problem where traditional revenue streams are diminished by the exchange of content over the Internet for free or without compensation or authorization to the rights holder. For example, there may be a problem where traditional revenue streams of the retail sale of music CDs are perhaps diminished by the exchange of digital music files or MP3s over the Internet for free or without compensation or authorization to the music rights holder. Receiver parties, particularly musicians, want to be able to make use of the

benefits of a network such as the Internet as a revenue stream but have not yet discovered a reliable popular means to enable them to profitably do so. Enabling Receiver parties to profit from receiving transmissions of communication from their fans will provide a new and additional revenue stream that may benefit the Receiver party and may enable the Receiver party to use a network for additional financial profit.

[0037] While some Internet e-mail re-mailers, anonymous re-mailers, or pseudo-anonymous re-mailers may charge a fee to a Caller party to re-transmit the Caller party's communication to the account or address of a Receiver party, the re-mailers do not transfer funds, do not benefit the Receiver party, and do not compensate the Receiver party. Re-mailers provide the Caller party with a service of making more anonymous the source of the Caller's e-mail so that the Receiver party may not easily be able to detect who sent the communication. While re-mailer services may be useful in certain situations, re-mailers do not benefit Receiver parties, do not help locate the addresses or accounts of Receiver parties, do not provide unique addresses or accounts for Receiver parties, do not organize or limit others right to transmit communication to Receiver parties, and do not compensate Receiver parties.

[0038] Sixthly, Receiver parties need a personalized and cost effective means to control their image, to interact with Caller Parties, to make their work or thoughts better known, for fan-base building, and for cultivation of their public persona and



public relations. Using traditional media such as television, advertising, infomercials, and magazines ads can be expensive and unfocused. In televisions and magazines, often too much information is distorted. The Receiver parties' depictions are often out of the Receiver party's control. Often a Receiver party desires greater control over the public depiction of his or her person, name or likeness.

[0039] Many or even most famous or publicly renowned parties are unable to efficiently advertise himself or herself, to gain greater control of their image, to communicate their individual beliefs, or to easily attract potential or new fans to learn more. Another way of attracting fans has been to appear on game shows, on the radio, on talk shows, or in other media which can be limited, uncontrolled by the famous or publicly renown party, and can have adverse effects on the Receiver party's public image.

[0040] In many cases, the famous or publicly renown Receiver party lacks the resources, time, and expertise needed to create a public venue for communication, establish or set-up billing and financial transaction processes to pay for it, or otherwise engage in a communications business, especially if the volume of communication to the famous or publicly renown Receiver party is either very high requiring a great deal of time and resources, or very low requiring significant overhead and computer costs for few revenues.

[0041] For example, it would not be practical for an Olympic athlete to prepare a network presence or WWW site during the Olympic period when the athlete is competing and most well-known and where the site or presence would authenticate credit card transactions, process payments, account for transactions, and store messages. The network and computer programming overhead is too significant, the timing to set -up the site too lengthy, and the time period of fame too short to make a feasible business proposition and enable the Receiver party to lead the life for which he or she is famous or renown.

[0042] Seventhly, Receiver parties need a means to counter unauthenticated WWW sites and to authenticate their identities to Caller Parties over a network. Receiver parties need to be able to be associated with a system or method that provides Caller party with a certain degree of reassurance that the communications that they transmit will be directed to an address or account that is associated with the authentic Receiver party or organization. Currently, there are too many "fake" sites, unauthorized fan sites, and others who wish to profit from a Receiver party 's name or likeness without being authentically associated with Receiver party.

[0043] In some cases, Receiver Parties also want to authenticate the identity of the Caller Party or the source of the communication. The present method, for example by requiring the Caller Party to transmit authenticate identifying information and or payment information will require, in most instances, the

Caller Party to identify or authenticate himself or herself. Of course, to maintain maximum flexibility to the participants, the system and method allow the option for Caller Parties to remain anonymous and additionally for Receiver Parties to accept or reject communication from anonymous sources or from anonymous, undisclosed, private, or generic email addresses, accounts, or servers.

[0044] Eighthly, there is less than an optimal amount of interaction or information exchanged between Receiver parties and Caller parties, especially in cases of Caller Parties requesting professional services where Receiver Parties traditionally expect to be paid or compensated for their time, services rendered, or information provided. There is currently no timely network system or method or means that increases the amount of professional services transacted over an interactive network such as the Internet, that provides a method to compensate the Receiver party for the services rendered or communications received, or that increases the amount of time-sensitive important communication over a network especially in "e-mail" or text based professional services, such as accounting or law.

[0045] Additionally, Receiver parties want to be able to personally interact with Caller parties on an informed basis yet not bear all the costs of the communication. Caller parties want to interact with Receiver parties. Receiver parties may to interact with Caller parties but do not want to make themselves vulnerable or overwhelmed.

[0046] Ninth, Receiver parties need to protect their privacy. They need to be able to control how others communicate with or access them.

[0047] Tenth, the organization and development of the market for personalized communication, transmission, or direction of communication for a fee or cost borne by a Caller party is stalled without a system or method to price, to differentiate, to develop, and to organize the market so that a Caller party may more easily pay a fee or bear a cost which directly or indirectly benefits the Receiver party.

[0048] Eleventh, too little quality communication is exchanged currently and too much unconsidered communication is misdirected or poorly directed without a mechanism to channel and focus the communication. In electronic communication, often you get what you pay for. If the communication costs almost nothing to compose, it may be worth almost nothing. Creating an option where people may pay an amount for valuable access or information allows people the option to access a greater amount or quality of information, greater flexibility, greater specificity in responses, and greater sophistication while still leaving the vast majority of electronic communication to remain free of additional obligation or cost.

[0049] People need a means to protect their existing email servers, email addresses, and the goodwill built up into those resources and yet at the same time limit the access to the traditional email accounts and servers. The current system and

method allow the user more flexibility to deny communication to the existing email resources at the same time offer new services and revenue streams.

[0050] Twelfth, Caller parties or Fans are entitled to feel that they have received something tangible or of value for their funds expended to transmit or direct communication to others. One problem involves a consumer's perception that he or she has been "ripped-off" because he or she has not received a response to a transmission that he or she paid to transmit. This problem can be lessened or averted by providing additional value to Caller parties in excess of the value of the opportunity or right granted to the Caller party to transmit communication to the account or address of the Receiver party. For example, this additional value could be an immediate automated response listing pertinent information that is immediately sent to the Caller party. While an automated immediate response is valuable, it is perhaps not exactly a solution to the Caller' party's specific request.

[0051] Lastly, many smaller transactions do not currently occur because of high transaction costs, inadequate information, and inefficient markets for smaller transactions. For example, there is perhaps a huge market for electronic newsletters about specific subjects that has not developed because of the high transactions costs for securing payment for the relatively small per usage or subscription fee. These transactions would be beneficial if they occurred.